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99TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
99-698

ORIGINAL

CONGRESSIONAL REPORTS ELIMINATION ACT OF 1986

JULY 21, 1986.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BROOKS, from the Committee on Government Operations, submitted the following

REPORT

[To accompany H.R. 2518]

[Including cost estimate of the Congressional Budget Office]

The Committee on Government Operations, to whom was referred the bill (H.R. 2518) to discontinue or amend certain requirements for agency reports to Congress, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment strikes out all after the enacting clause of the bill and inserts a new text which appears in italic type in the reported bill.

EXPLANATION OF COMMITTEE AMENDMENT

H.R. 2518 was reported by the Committee on Government Operations with an amendment in the nature of a substitute. The entire text of this report is an explanation of the amendment.

SUMMARY AND PURPOSE

As reported by the House Committee on Government Operations, H.R. 2518 contains some 25 provisions which will eliminate, consolidate, simplify, or reduce congressionally-mandated reporting requirements. Several of these provisions require multiple reports each year by more than one entity. Congressional committees with substantive jurisdiction over the subject matter covered by these reporting requirements have concurred in this action.

H.R. 2518 was introduced at the request of the Office of Management and Budget. As originally introduced, it was a compilation of provisions which departments and agencies in the executive branch

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had recommended for elimination or modification. The amendment by the Government Operations Committee is a result of recommendations received from committees of the House of Representatives. Provisions were deleted because committees indicated the reports are either still useful and pertinent in overseeing Government programs and activities or the provisions contain substantive material which should be the subject of indepth hearings by the relevant committees prior to any change in the law.

COMMITTEE ACTION AND VOTE

On June 24, 1986, the bill, as amended, was ordered reported unanimously by the full committee on a voice vote, a quorum being present.

HEARING

The Legislation and National Security Subcommittee of the Committee on Government Operations held a hearing on H.R. 2518 on June 4, 1986. Testifying in favor of the legislation were Joseph R. Wright, Jr., Deputy Director of the Office of Management and Budget (OMB), who presented the administration's views, and Charles A. Bowsher, Comptroller General, U.S. General Accounting Office.

Mr. Wright linked OMB's efforts to reduce congressionally-mandated reporting requirements to provisions of the Paperwork Reduction Act of 1980, which, he said, requires the OMB to examine the entire life cycle of Federal information activities.

Mr. Wright indicated that it is necessary to periodically review congressional reporting requirements to determine whether they are still needed. He said:

> As executive branch agencies face budgetary and personnel reductions, the administrative burdens created by adding unnecessary reporting requirements are quite significant. Moreover, the time and costs associated with the preparation of these reports often distract agencies from their more important responsibilities.

Charles Bowsher, testifying for the General Accounting Office (GAO), outlined efforts of the GAO to accomplish reports reduction. Mr. Bowsher indicated that GAO has compiled and published a comprehensive inventory of the various reporting requirements of the Congress. Bowsher suggested "that if the utility of congressional reports were monitored and evaluated on an ongoing basis, the Congress could more easily identify unneeded reports that could be eliminated." He encouraged drafters of legislation to assess carefully the value of reporting requirements during the legislative initiation and reauthorization processes and to determine what information already is available in order to avoid unnecessary creation of new requirements.

General Discussion

At the present time there are approximately 3,000 congressionally-mandated recurring reporting requirements.[1] During the first session of the 99th Congress, 575 new reporting provisions were enacted. In an effort to reduce the costs and to eliminate unneeded paperwork associated with these requirements, Congress has periodically examined its continuing information needs, resulting in the elimination or modification of outdated provisions.[2] Last year the Office of Management and Budget forwarded a draft legislative proposal to the Congress. The proposal was later introduced as H.R. 2518 by Government Operations Committee Chairman Jack Brooks, by request.

Prior to formulating the draft legislation, the OMB requested departments and agencies to identify and submit to OMB reporting requirements recommended for elimination, simplification or consolidation. According to Joseph Wright, Deputy Director of OMB, agencies were instructed to use the following selection criteria in making their recommendations:

> Duplication or overlap with other reports (i.e., information being provided to Congress in another form such as appropriations or oversight testimony);
>
> Burden or cost of producing the report (including burden on and cost to the public or collecting data as well as cost to the agency);
>
> The continued validity of the original requirement (i.e., whether the reason for the requirement—such as close oversight of a newly initiated program—still applied); and
>
> The actual use by the Congress of the report.[3]

Additionally, agencies were to consider those requirements previously recommended for termination or modification but not enacted in the 96th or 97th Congresses or to include an explanation to OMB why requirements in the 1982 bill were not included in the current listing. However, it is not clear how closely agencies adhered to all of the criteria. According to the Secretary of the Department of Health and Human Services, "In making recommendations to eliminate, consolidate, or reduce the number of reports, we are making no judgments on the importance of a topic or the need for obtaining information."[4] Responding to a query by Chairman Brooks, Mr. Wright indicated that the relevant congressional committees were not contacted prior to final compilation of the recommendations into draft legislation. This indicates that the specific needs of Congress were not considered in formulating the recommendations. In fact, with regard to the proposed elimination of one reporting requirement, the committee learned that this is "prob-

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[1] Statement of Charles A. Bowsher, Comptroller General, U.S. General Accounting Office, in hearings before the Legislation and National Security Subcommittee regarding H.R. 2518, June 4, 1986.

[2] Previous such reviews have resulted in the enactment of laws in 1954 (P.L. 796, 83d Congress, 68 Stat. 966), 1960 (P.L. 96-533, 74 Stat. 245), 1965 (P.L. 89-348, 79 Stat. 1310), 1974 (P.L. 93-608, 88 Stat. 1967), 1980 (P.L. 96-470, 94 Stat. 2237), and 1982 (P.L. 97-375, 96 Stat. 1819) eliminating or modifying a number of reports.

[3] Statement of Joseph R. Wright, Deputy Director of OMB, in hearings before the Legislation and National Security Subcommittee regarding H.R. 2518, June 4, 1986.

[4] Ibid.

ably the fifth time in the eleven-year history of the Impoundment Control Act of 1974 . . . that such a proposal has been made. . . ."[5]

During its consideration of H.R. 2518, the Legislation and National Security Subcommittee asked committees of the House of Representatives to review the legislation and to recommend amendments, as necessary, to assure that congressional review and oversight functions would not be harmed if reporting requirements were eliminated or modified.

Amendments were submitted by various committees on the basis that some provisions of H.R. 2518 were inappropriate to the general subject matter of the bill and that other provisions, changing or eliminating reporting requirements, were not consistent with current congressional need for information. In fact, the reason given for the majority of requests for deleting provisions was that the information received in response to such mandatory requirements continues to be pertinent and useful to congressional committees in their oversight activities.

Recommendations received from the committees were consolidated in amendments introduced by Chairman Brooks and approved during consideration of this legislation by both the Legislation and National Security Subcommittee and the full Committee on Government Operations. As amended, the bill still eliminates or modifies approximately 25 reporting provisions, some requiring submission of multiple reports each year by more than one entity.

The committee agreed that changes in law dealing with matters other than the elimination of reporting requirements were inappropriate for inclusion in this bill. The draft proposal submitted by OMB, however, contained provisions that, if enacted, would amend the law pertaining to such other matters. For example, G.V. (Sonny) Montgomery, Chairman, and John Paul Hammerschmidt, ranking minority member, of the Committee on Veterans' Affairs, wrote with regard to the proposed modification of three reports in the jurisdiction of that committee:

> All of these changes are substantive ones which go to purposeful Congressional mandates placed on the Administrator of Veterans' Affairs. Absent some compelling justification presented by the Administrator to the Committee on Veterans' Affairs, we cannot recommend the changes contained in the bill, and must reluctantly object to consideration of them as part of this measure.[6]

Provisions contained in H.R. 2518 were viewed by some committees as attempts by the administration to do away with programs under the guise of eliminating reports. Chairman James J. Howard of the Committee on Public Works and Transportation stated:

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[5] Letter of July 9, 1985, to Chairman Jack Brooks from the Honorable William H. Gray, III, Chairman of the Committee on the Budget.

[6] Letter of July 1, 1985, to Chairman Jack Brooks, from the Honorable G.V. (Sonny) Montgomery and Honorable John Paul Hammerschmidt.

> The Committee believes the Administration's proposal to repeal this report is linked to their legislative proposal to repeal two of the four Federal Aid (highway) systems.[7]

Also, as explained in a letter from the Committee on Energy and Commerce, Ed Markey, Chairman, Subcommittee on Energy Conservation and Power, observed:

> . . . studies and reports dealing with alcohol fuels, energy conservation standards for buildings, and industrial energy efficiency would be repealed. The bill would effectively end these programs, which are opposed by the current Administration, and not merely end the Congressional report on the program.[8]

While the Administration claims many of the reports proposed for elimination or modification are costly and burdensome to prepare, the committee was unable to find any indication that the agencies have discussed these reporting requirements with the committees of jurisdiction. Such discussions would be appropriate in order for the agencies to determine what changes in the scope, content, format or presentation of required reports may be possible. While continuing to provide needed information, such changes could result in substantially reduced costs to the agency. Furthermore, it appears that committees are willing to discuss their needs for information with the relevant executive agencies. As one committee chairman put it:

> If the administration has any suggestions concerning the form or content of this Report, the Committee would be more than willing to consider those during the normal legislative process.[9]

Conclusion

The need to reduce congressionally-mandated reporting requirements must be carefully weighed against the congressional need for information concerning Government programs and activities. Current information, received on a timely basis, is essential to Congress in fulfilling its oversight and legislative responsibilities. Where relevant committees of the House of Representatives indicated a continuing need for information affected by provisions of H.R. 2518, those provisions were deleted during markup of the bill. In addition, requests received from relevant committees for deletion of substantive provisions or suggesting amended language for other provisions were incorporated by the committee in its reported bill.

Passage of H.R. 2518, as amended, will enhance the economic and efficient operation of Federal Government activities by allowing the resources currently used in fulfilling the congressional re-

[7] Letter of March 13, 1986, to Chairman Jack Brooks from Honorable James J. Howard, Chairman, Committee on Public Works and Transportation.
[8] Letter of June 2, 1986, to Chairman Jack Brooks from Honorable John Dingell, Chairman, Committee on Energy and Commerce.
[9] Letter of March 13, 1986, to Chairman Jack Brooks from Honorable James J. Howard, Chairman, Committee on Public Works and Transportation.

porting requirements which have been eliminated or reduced to be channeled to other more essential functions.

SECTION-BY SECTION ANALYSIS

TITLE I

Section 101(a)

Repeals the requirement that the Secretaries of Agriculture and Energy submit quarterly reports to the Congress on activities on biomass energy development.

Section 101(b)

Deletes the requirement that heads of agencies submit annual reports to the Congress concerning agency utilization of scientific or professional positions that are established outside the general Schedule and outside the Senior Executive Service.

Section 102

Deletes the requirement that the Secretary of Commerce report annually to the Congress on activities pursuant to the Central, Western and South Pacific Fisheries Development Act.

Section 103(a)

Repeals the requirement that an annual report on the findings and recommendations of the National Advisory Council on Continuing Education be transmitted to the President, the Congress and the Secretary of Education.

Section 103(b)

Deletes the requirement that the Secretary of Education report biennially to the Congress on the findings and recommendations of the Office of Education Professional Development which was abolished in 1981.

Section 103(c)

Eliminates the requirement for an annual report which includes an index and analysis of the books and research materials produced under the international education studies grants or contracts.

Section 104(a)

Deletes the requirement that the Secretary of Energy submit a report prior to the establishment of any joint Federal-industry experimental, demonstration, or commercial corporation.

Section 104(b)

Deletes the requirement that the Secretary of Energy initiate and conduct a study and submit a report to Congress on the prospects for application of wind energy systems for power generation in foreign countries.

Section 105(a)

Deletes the requirement that the Secretary of Energy report annually to Congress on the status of HUD-assisted housing abandonment demonstration projects.

Section 105(b)

Repeals the requirement that the Secretary of Energy submit to the Congress a report on the application of solar energy to residential housing demonstration projects.

Section 106

Deletes the requirement that the Department of Justice submit a report to Congress when a prosecution is not pursued for an alleged violation of 18 U.S.C. 2101(a).

Section 107

Deletes the requirement that reports be submitted to Congress each year on all sales and chartering activities under the Merchant Ship Sales Act of 1946.

Section 108

Deletes the requirement in 5 U.S.C. 648(f) that the National Science Foundation submit quarterly reports on the activities of the Office of Small Business Research and Development.

Section 109

Repeals the requirement that the Nuclear Regulatory Commission prepare and submit to the Congress a quarterly report which documents for grades GS–11 or above: (1) the number of minority and women candidates hired, by grade level; (2) the number of minority and women employees promoted, by grade level; (3) the procedures followed by the Commission in preparing job descriptions, informing potential applicants, and selecting from candidates the persons to be employed in positions at grade GS–11 or above; and (4) the other steps taken to meet the provisions of the Equal Employment Act.

Section 110(a) and 110(b)

Deletes the requirement that the Office of Personnel Management submit an annual report listing the positions in grades GS–16, GS–17, and GS–18 for the preceding calendar year including the total number of positions placed in or allocated to all these grades, in each grade, and the total number of such positions in existence.

TITLE II

Section 201

Simplifies and clarifies previously existing reporting requirements in section 203(o) of the Federal Property and Administrative Services Act of 1949, and attaches the same reporting requirements to two types of surplus property as contained in sections 13(d) and 13(g) of the Surplus Property Act of 1944, as amended.

Section 202

Amends the requirement that the General Sales Manager of the Commodity Credit Corporation submit quarterly reports to Congress on the developments related to private sales, as well as those funded by the Corporation. An annual report would be submitted in lieu of the quarterly report.

Section 203(a)

Amends the requirement that the Secretary of Commerce submit an annual report to the Congress in January of each year on his actions under Section 7 of the Marine Resources and Engineering Development Act of 1966. A biennial report will be submitted in lieu of the annual report.

Section 203(b)

Amends the Foreign Trade Zones (FTZ) Act of 1934 to reduce the reporting requirements on zone grantees and/or the Board by: (1) eliminating reports from zone grantees and from the FTZ Board to the Congress on zone finances; (2) eliminating the need for attaching zone reports to the Board's report to Congress.

Section 204

Changes the submission date of the Secretary of Education's report to Congress on activities of Centers on Education Media and Materials for the Handicapped from every year to every 3 years.

Section 205

Changes the submission date from January 31 to April 1 for the Secretary of Transportation's report to the Congress and the Civil Aeronautics Board on the extent to which the implementation of the Airline Deregulation Act of 1978 has affected, during the preceding calendar year, or will affect in the succeeding calendar year, the level of air safety. Also changes the submission date from January 31 to April 1 for recommendations regarding the level of surveillance necessary to enforce air safety regulations.

Section 206(a)

Transfers primary responsibilities for preparing the annual Report on Fishery Allocations, Permits and Foreign Import Barriers from the Secretary of the Treasury to the Secretaries of Commerce and State.

Section 206(b)

Amends section 1201(a)(1) of the Tax Reform Act of 1976 to make the Report on Procedures and Safeguards an annual, rather than a quarterly, report.

Section 207

Modifies section 203(j)(4)(E) of the Federal Property and Administrative Services Act of 1949 by raising from $3,000 to $5,000 the unit acquisition cost of donable property on which State surplus property agencies must impose reasonable terms, conditions, and restrictions on the property's use.

Section 208

Amends the Civil Service Reform Act of 1978 to allow the Merit Systems Protection Board to use fiscal year rather than calendar year data in reporting to Congress on the number of appeals received, appeals on which action was completed, and instances in which the Board failed to conclude a proceeding by the date originally announced.

COST ESTIMATE OF THE CONGRESSIONAL BUDGET OFFICE

The cost estimate prepared by the Congressional Budget Office under Section 308(a) and 403 of the Congressional Budget Act of 1974 is contained in the following letter from its Director:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 14, 1986.

Hon. JACK BROOKS,
Chairman, Committee on Government Operations,
U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2518, the Congressional Reports Elimination Act of 1986, as ordered reported by the House Committee on Government Operations, June 24, 1986.

The bill would reduce the number of reports Executive Branch agencies are required to submit to the Congress, the President, or the public, and would also modify some remaining reporting requirements. A total of 25 reports would be eliminated or modified by the bill.

Based on information from affected agencies, we estimate the potential annual savings that would result from this bill to be about $1 million, which could be reflected either in reduced spending or in a reallocation of resources to other activities.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,

Sincerely,

RUDOLPH G. PENNER,
Director.

COMMITTEE ESTIMATE OF COST

The committee agrees with the Congressional Budget Office regarding the cost savings to the Government that will result from enactment of this bill. In addition, further savings are possible in the preparation of congressionally-mandated reports. The committee suggests that affected Federal agencies discuss the requirements with the relevant committees to ascertain committee needs. If committee suggestions are followed, such discussions would most likely result in more concisely written, less elaborately prepared, and less costly reports.

INFLATIONARY IMPACT

In compliance with clause (2)(l)(4) of House Rule XI, it is the opinion of the committee that the provisions of this bill will have

no inflationary impact on prices and costs in the operation of the national economy.

OVERSIGHT FINDINGS

The committee has maintained continuous oversight of the agencies affected by this legislation, but has made no detailed findings and recommendations concerning reports elimination other than those contained elsewhere in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

No new budget authority or tax expenditures are contained in this legislation.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 218 OF THE BIOMASS ENERGY AND ALCOHOL FUELS ACT OF 1980

REPORTS

SEC. 218. [(a) The Secretary of Agriculture and the Secretary of Energy shall each prepare and submit to the President and the Congress quarterly reports on their activities under this subtitle.]

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TITLE 5, UNITED STATES CODE

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PART III—EMPLOYEES

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Subpart B—Employment and Retention

CHAPTER 31—AUTHORITY FOR EMPLOYMENT

* * * * * * *

§ 3104. Employment of specially qualified scientific and professional personnel

(2)[(1)] The Director of the Office of Personnel Management may establish, and from time to time revise, the maximum number of scientific or professional positions (not to exceed 517) for carrying out research and development functions which require the services of specially qualified personnel which may be established out-

side of the General Schedule. Any such position may be established only by action of the Director.

[(2)] *(b)* The provision of [paragraph (1) of this subsection] *subsection (a) of this section* shall not apply to any Senior Executive Service position (as defined in section 3132(a) of this title).

[(3)] *(c)* In addition to the number of positions authorized by [paragraph (1) of this subsection], *subsection (a) of this section* the Librarian of Congress may establish, without regard to the second sentence of paragraph (1) of this subsection not more than 8 scientific or professional positions to carry out the research and development functions of the Library of Congress which require the services of specially qualified personnel.

[(b) The head of each agency authorized to fix under section 5371 of this title the pay for positions established under this section shall submit to Congress not later than December 31 of each year (or in the case of the Administrator of the National Aeronautics and Space Administration not later than February 1 of each year), a report setting forth—

[(1) the number of these positions established in his agency during that calendar year (or in the case of the National Aeronautics and Space Administration during the previous calendar year); and

[(2) the name, rate of pay, and description of the qualifications of each incumbent, together with a statement of the functions performed by each.

When the head of such an agency considers full public report on these items detrimental to the national security, he may omit the items from his annual report and, instead, present the information in executive session of such committee of a House of Congress as the presiding officer thereof may designate.]

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Subpart D—Pay and Allowances

CHAPTER 51—CLASSIFICATION

Sec.

5101. Purpose.
5102. Definitions; application.
5103. Determination of applicability.
5104. Basis for grading positions.
5105. Standards for classification of positions.
5106. Basis for classifying positions.
5107. Classification of positions.
5108. Classification of positions at GS–16, 17, and 18.
5109. Positions classified by statute.
5110. Review of classification of positions.
5111. Revocation and restoration of authority to classify positions.
5112. General authority of the Office of Personnel Management.
5113. Classification records.
[5114. Reports; positions in GS–16, 17, and 18.]
5115. Regulations.

* * * * * * *

[§ 5114. Reports; positions in GS–16, 17, and 18

[(a) The Office of Personnel Management with respect to positions under section 5108(a) of this title, the head of the agency concerned, with respect to positions under sections 5108(b), (c) and 5109(b) of this title, and the appropriate authority, with respect to positions under jurisdiction of the authority which are allocated to or placed in GS–16, 17, and 18, including positions so allocated or placed on a temporary or present incumbency basis, under reorganization plan or statute, except sections 5108 and 5109 of this title, shall submit, so long as the reorganization plan or statute remains in effect, to Congress, no later than February 1 of each year, a report setting forth—

[(1) the total number of positions allocated to or placed in all these grades during the immediately preceding calendar year, the total number of positions allocated to or placed in each of these grades during the immediately preceding calender year, and the total number of these positions in existence during the immediately preceding calendar year and the grades to or in which the total number of positions in existence are allocated or placed;

[(2) the name, rate of pay, and description of the qualifications of the incumbent of each of these positions, together with the position title and a statement of the duties and responsibilities performed by the incumbent;

[(3) the position or positions in or outside the Government of the United States held by each of these incumbents, and his rate or rates of pay, during the 5-year period immediately preceding the date of his appointment to the position; and

[(4) such other information as the Office, the head of the agency, or other appropriate authority submitting the report may consider appropriate or as may be required by Congress or a committee thereof.

This subsection does not require the resubmission of information required by paragraphs (2) and (3) of this subsection which has been reported under this subsection and which remains unchanged.

[(b) When the Office, the head of the agency, or other appropriate authority considers full public disclosure of any or all of the items specified by subsection (a) of this section to be detrimental to the national security, the Office, the head of the agency, or authority may—

[(1) omit from the annual report those items with respect to which full public disclosure is found to be detrimental to the national security;

[(2) inform Congress of the omission; and

[(3) at the request of the Congressional committee to which the report is referred, present all information concerning those items.]

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Subpart F—Labor-Management and Employee Relations

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CHAPTER 77—APPEALS

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§ 7701. Appellate procedures

(a) * * *

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(i)(1) * * *

(2) Not later than March 1 of each year, the Board shall submit to the Congress a report describing the number of appeals submitted to it during the preceding [calendar] *fiscal* year, the number of appeals on which it completed action during that year, and the number of instances during that year in which it failed to conclude a proceeding by the date originally announced, together with an explanation of the reasons therefor.

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SECTION 5 OF THE CENTRAL, WESTERN AND SOUTH PACIFIC FISHERIES DEVELOPMENT ACT

[SEC. 5. The Secretary shall submit to the President and the Congress, not later than September 30 of each year, an annual report with respect to his activities pursuant to this Act, the results of such activities, and any recommendations he may have as a result of such activities.]

HIGHER EDUCATION ACT OF 1965

* * * * * * *

TITLE I--CONTINUING POSTSECONDARY EDUCATION PROGRAM AND PLANNING

* * * * * * *

PART B—EDUCATION OUTREACH PROGRAMS

* * * * * * *

NATIONAL ADVISORY COUNCIL ON CONTINUING EDUCATION

SEC. 117. (a) * * *

* * * * * * *

[(d) The Advisory Council shall make annual reports to the President, the Congress, and the Secretary, commencing on September 30, 1981, of its findings and recommendations, including recommendations for changes in the provisions of this title and other Federal laws relating to continuing education and training activi-

ties. The President shall transmit each such report to the Congress with his comments and recommendations. The Advisory Council shall make such other reports or recommendations to the President, the Congress, the Secretary, or the head of any other Federal department or agency as may be appropriate.]

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TITLE V—TEACHER CORPS AND TEACHER TRAINING PROGRAMS

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PART D—COORDINATION OF EDUCATION PROFESSIONALS DEVELOPMENT

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OFFICE OF EDUCATION PROFESSIONAL DEVELOPMENT

SEC. 553. (a) * * *

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[(c) The Secretary shall report biennially to the Congress on the findings and recommendations of the Office.]

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TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

PART A—INTERNATIONAL AND FOREIGN LANGUAGE STUDIES

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RESEARCH; STUDIES; ANNUAL REPORT

SEC. 605. (a) * * *

[(b) The Secretary shall prepare and publish an annual report listing of the books and research materials produced with assistance under this title.]

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SECTION 7 OF THE FEDERAL NONNUCLEAR ENERGY RESEARCH AND DEVELOPMENT ACT OF 1974

FORMS OF FEDERAL ASSISTANCE

SEC. 7. (a) * * *

(b) Joint Federal-industry corporations proposed for congressional authorization pursuant to this Act shall be subject to the provisions of section 9 of this Act and shall conform to the following guidelines except as otherwise authorized by Congress:

(1) * * *

* * * * * * *

(7)[(A) Prior to the establishment of any joint Federal-industry corporation pursuant to this Act, the Administrator shall submit to the Speaker of the House of Representatives and the

President pro tempore of the Senate, and to the appropriate committees of the House of Representatives and the Senate a report setting forth in detail the consistency of the establishment of the corporation with the principles and directives set forth in section 5 and this section, and the proposed purpose and planned-activities of the corporation.]

[(B)] No such corporation shall be established unless previously authorized by specific legislation enacted by the Congress.

* * * * * * *

SECTION 11 OF THE WIND ENERGY SYSTEMS ACT OF 1980

ANALYSIS OF APPLICATIONS OF WIND ENERGY SYSTEMS

SEC. 11. The Secretary shall—

(1) * * *

* * * * * * *

(4) evaluate the actual performance of wind energy systems in various applications, including but not limited to residential, agricultural, large and small scale irrigation pumping, industrial, commercial, remote nonnetwork utility, and other applications, and report thereon to the Congress within two years after the date of enactment of this Act; *and*

[(5) initiate and conduct a study involving the prospects for applications of wind energy systems for power generation in foreign countries, particularly lesser developed countries and the potential for the exploration of these energy systems. This study shall involve the cooperation of the Department of State and the Department of Commerce, as well as other Federal agencies which the Secretary deems appropriate. A final report shall be submitted to the Congress, as well as a preliminary report within twelve months of the date of enactment of this Act; and]

[(6)] *(5)* in carrying out his functions under this section, consult with the appropriate government agencies, industry representatives, and members of the scientific and technical community having expertise and interest in this subject.

The Secretary, as appropriate, may merge any continuing or ongoing studies within the Department of Energy or any other Federal agency with those required under this section to avoid any unnecessary duplication of effort or funding.

HOUSING AND URBAN DEVELOPMENT ACT OF 1970

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TITLE V—RESEARCH AND TECHNOLOGY

* * * * * * *

DEMONSTRATION WITH RESPECT TO ABANDONED PROPERTIES

SEC. 505. (a) * * *

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[(f) The Secretary shall report annually to the Congress with respect to the status of demonstration projects funded by him and shall make such recommendations to the Congress as he deems necessary to further the purposes of this section.]

SOLAR ENERGY

SEC. 506. (a) * * *

* * * * * * *

[(c) The Secretary shall transmit to the Congress not later than 6 months following the close of any year in which he carries out a demonstration under this section a full report on such demonstration. Such report may include an evaluation of the economic and technological feasibility of the widespread application of solar energy to residential housing.]

* * * * * * *

SECTION 2101 TITLE 18, UNITED STATES CODE

§ 2101. Riots

(a)(1) * * *

* * * * * * *

(d) Whenever, in the opinion of the Attorney General or of the appropriate officer of the Department of Justice charged by law or under the instructions of the Attorney General with authority to act, any person shall have violated this chapter, the Department shall proceed as speedily as possible with a prosecution of such person hereunder and with any appeal which may lie from any decision adverse to the Government resulting from such prosecution[; or in the alternative shall report in writing, to the respective Houses of the Congress, the Department's reason for not so proceeding.].

* * * * * * *

SECTION 13 OF THE MERCHANT SHIP SALES ACT OF 1946

REPORTS

[SEC. 13. The Secretary shall on July 1, 1946, and every three months thereafter, make a report to Congress with respect to all activities or transactions under this Act which have not been covered by any previous such report.]

SECTION 8 OF THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1977

OFFICE OF SMALL BUSINESS RESEARCH AND DEVELOPMENT

SEC. 8. The National Science Foundation is authorized and directed to establish an Office of Small Business Research and Development. The Foundation through the Office of Small Business Research and Development and in cooperation and consultation with the Small Business Administration shall—

(1) * * *

* * * * * * *

(3) assist individual small business concerns in obtaining information regarding programs, policies, and procedures of the Foundation, and assure the expeditious processing of proposals by small business concerns based on scientific and technical merit; *and*

(4) recommend to the Director and to the National Science Board such changes in the procedures and practices of the Foundation as may be required to enable the Foundation to draw fully on the resources of the small business research and development community[; and].

[(5) make quarterly reports to the Congress concerning the activities of the Office of Small Business Research and Development.]

SECTION 201 OF THE ENERGY REORGANIZATION ACT OF 1974

ESTABLISHMENT AND TRANSFERS

SEC. 201. (a) * * *

* * * * * * *

[(h) The Commission shall prepare and submit to the Congress a quarterly report which documents, for grades GS–11 or above:

[(1) the number of minority and women candidates hired, by grade level;

[(2) the number of minority and women employees promoted, by grade level;

[(3) the procedures followed by the Commission in preparing job descriptions, informing potential applicants, and selecting from candidates the persons to be employed in positions at grade GS–11 or above; and

[(4) other steps taken to meet provisions of the Equal Employment Act.

The first such quarterly report shall be submitted to the Congress not later than January 31, 1978, and subsequent reports shall be submitted prior to the end of one calendar month after the end of each calendar quarter thereafter.]

SECTION 203 OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

DISPOSAL OF SURPLUS PROPERTY

SEC. 203. (a) * * *

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(j)(1) * * *

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(4)(A) * * *

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(E) The State plan of operation shall provide that the State agency may impose reasonable terms, conditions, reservations, and restrictions on the use of property to be donated under paragraph (3) of this subsection and shall impose such terms, conditions, reservations, and restrictions in the case of any passenger motor vehicle and any item of other property having a unit acquisition cost of [$3,000] *$5,000* or more. If the Administrator finds that an item or items have characteristics that require special handling or use limitations, he may impose appropriate conditions on the donation of such property.

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(o) [The Administrator with respect to personal property donated under subsection (j) of this section and with respect to real and related personal property transferred or conveyanced under subsection (p) of this section, and the head of each executive agency disposing of real property under subsection (k) of this section, shall submit] *The Administrator with respect to property disposed of under subsection (j) or (p) of this section, and the head of each executive agency disposing of property under subsection (k) of this section, or under section 13(d) or 13(g) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622 (d) or (g)), shall submit* during the calendar quarter following the close of each fiscal year a report to the Senate (or to the Secretary of the Senate if the Senate is not in session) and to the House of Representatives (or to the Clerk of the House if the House is not in session) showing the acquisition cost of all [personal property so donated and of all real] property so disposed of during the preceding fiscal year. Such reports shall also show [donations and transfers] *disposals* of property according to State, and may include such other information and recommendations as the Administrator or other executive agency head concerned deems appropriate.

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PUBLIC LAW 97-370

(Act of December 18, 1982)

Making appropriations for Agriculture, Rural Development, and Related Agencies programs for the fiscal year ending September 30, 1983, and for other purposes

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GENERAL SALES MANAGER

(ALLOTMENT FROM COMMODITY CREDIT CORPORATION)

Not to exceed $5,599,000 may be transferred from the Commodity Credit Corporation funds to support the General Sales Manager who shall work to expand and strengthen sales of United States commodities (including those of the Corporation) in world markets pursuant to existing authority (including that contained in the Corporation's charter), and that such funds shall be used by the General Sales Manager to carry out the above activities. The General Sales Manager shall report directly to the Board of Directors of the Corporation of which the Secretary of Agriculture is a member. The General Sales Manager shall obtain, assimilate, and analyze all available information on developments related to private sales, as well as those funded by the Corporation, including grade and quality as sold and as delivered, including information relating to the effectiveness of greater reliance by the General Sales Manager upon loan guarantees as contrasted to direct loans for financing commercial export sales of agricultural commodities out of private stocks on credit terms, as provided in titles I and II of the Agricultural Trade Act of 1978, Public Law 95-501, and shall submit [quarterly] *annual* reports to the appropriate committees of Congress concerning such developments.

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SECTION 7 OF THE MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT OF 1966

REPORTS

SEC. 7. (a) The President shall transmit to the Congress *biennially* in January [of each year] a report, which shall include (1) a comprehensive description of the activities and the accomplishments of all agencies and departments of the United States in the field of marine science during the preceding fiscal year, and (2) an evaluation of such activities and accomplishments in terms of the objectives set forth pursuant to this Act.

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SECTION 16 OF THE ACT OF JUNE 18, 1934

AN ACT To provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes

SEC. 16. (a) The form and manner of keeping the accounts of each zone shall be prescribed by the Board.

(b) Each grantee shall make to the Board annually, and at such other times as it may prescribe, reports [containing a full statement of all the operations, receipts, and expenditures, and such other information as the Board may require] *on zone operations.*

[(c) The Board shall make a report to Congress by April 1 of each year containing a summary of the operation and fiscal condition of each zone and transmit therewith copies of the annual report of each grantee.]

(c) The Board shall make a report to Congress annually containing a summary of zone operations.

SECTION 653 OF THE EDUCATION OF THE HANDICAPPED ACT

CENTERS ON EDUCATIONAL MEDIA AND MATERIALS FOR THE HANDICAPPED

SEC. 653. (a) The Secretary is authorized to enter into agreements with institutions of higher education, State and local educational agencies, or other appropriate nonprofit agencies, for the establishment and operation of centers on educational media and materials for the handicapped, which together will provide a comprehensive program of activities to facilitate the use of new educational technology in education programs for handicapped persons, including designing, developing, and adapting instructional materials, and such other activities consistent with the purposes of this part as the Secretary may prescribe in such agreements. Any such agreement shall—

(1) provide that Federal funds paid to a center will be used solely for such purposes as are set forth in the agreement; and

(2) authorize the center involved, subject to prior approval by the Secretary, to contract with public and private agencies and organizations for demonstration projects.

(b) In considering proposals to enter into agreements under this section, the Secretary shall give preference to institutions and agencies—

(1) which have demonstrated the capabilities necessary for the development and evaluation of educational media for the handicapped; and

(2) which can serve the educational technology needs of the Model High School for the Deaf (established under Public Law 89-694).

(c) [The Secretary shall make an annual] *Every three years, the Secretary shall make a* report on activities carried out under this section which shall be transmitted to the Congress.

SECTION 107 OF THE FEDERAL AVIATION ACT OF 1958

SAFETY STUDY

POLICY

SEC. 107. (a) * * *

REPORT

(b) Not later than January 31, 1980, and each [January 31 thereafter] *April 1 thereafter* the Secretary of Transportation shall prepare and submit to the Congress and the Board a comprehensive

annual report on the extent to which the implementation of the Airline Deregulation Act of 1978 has affected, during the preceding calendar year, or will affect, in the succeeding calendar year, the level of air safety. Each such report shall, at a minimum, contain an analysis of each of the following:

(1) All relevant data on accidents and incidents occurring during the calendar year covered by such report in air transportation and on violations of safety regulations issued by the Secretary of Transportation occurring during such calendar year.

(2) Current and anticipated personnel requirements of the Administrator with respect to enforcement of air safety regulations.

(3) Effects on current levels of air safety of changes or proposals for changes in air carrier operating practices and procedures which occurred during the calendar year covered by such report.

(4) The adequacy of air safety regulations taking into consideration changes in air carrier operating practices and procedures which occurred during the calendar year covered by such report.

Based on such report, the Secretary shall take those steps necessary to ensure that the high standard of safety in air transportation referred to in subsection (a) of this section is maintained in all aspects of air transportation in the United States.

RECOMMENDATIONS

(c) No later than January 31, 1980, and each [January 31] *April 1* thereafter, the Secretary of Transportation shall submit to the Congress and the Board recommendations with respect to the level of surveillance necessary to enforce air safety regulations and the level of staffing necessary to carry out such surveillance. The Secretary of Transportation's recommendations shall include proposals for any legislation needed to implement such recommendations.

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SECTION 201 OF THE MAGNUSON FISHERY CONSERVATION AND MANAGEMENT ACT

SEC. 201. FOREIGN FISHING.

(a) * * *

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(f) FOREIGN ALLOCATION REPORT.—The [Secretary of the Treasury, in Cooperation with the] Secretary and the Secretary of State[,] shall prepare and submit a report to the Congress and the President, not later than July 1 of each year, setting forth—

(1) a list of species of all allocations made to foreign nations pursuant to subsection (e) and all permits issued pursuant to section 204(b)(6)(B); and

(2) all tariff and nontariff trade barriers imposed by such nations on the importation of such species from the United States.

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SECTION 6103 OF THE INTERNAL REVENUE CODE OF 1954

SEC. 6103. CONFIDENTIALITY AND DISCLOSURE OF RETURNS AND RETURN INFORMATION.

(a) * * *

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(p) PROCEDURE AND RECORDKEEPING.—

(1) MANNER, TIME, AND PLACE OF INSPECTION.—Request for the inspection or disclosure of a return or return information and such inspection or disclosure shall be made in such manner and at such time and place as shall be prescribed by the Secretary.

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(5) REPORT ON PROCEDURES AND SAFEGUARDS.—After the close of each calendar [quarter] *year,* the Secretary shall furnish to each committee described in subsection (f)(1) a report which describes the procedures and safeguards established and utilized by such agencies, bodies, or commissions and the General Accounting Office for ensuring the confidentiality of returns and return information as required by this subsection. Such report shall also describe instances of deficiencies in, and failure to establish or utilize, such procedures.

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